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Attorneys for Plaintiff
MOTOR WORKS, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(San Jose Division)

MOTOR WORKS LLC,

Plaintiffs,

v.

SAFER TECHNOLOGIES, INC.,
CERMA TECHNOLOGY, INC.,
GEORGE ACKERMAN, MARY
STRANAHAN, NICHOLAS STREIT,
TIM STREIT and EDWARD
HALBACH

Defendants.

) Case No: 08-cv-03608

)
) DECLARATION OF ROBERT C.
) WEEMS IN SUPPORT OF
) PLAINTIFF'S MEMORANDUM IN
) OPPOSITION TO MOTION FOR
) LEAVE TO AMEND

) Date: March 8, 2010

) Time: 0900 AM

) Loc: Ctrm 8

) Judge: Hon. James S. Ware

) Trial Date: March 16, 2010

I, Robert C Weems, hereby declare, as follows:

1. I am over the age of 18 years and have personal knowledge of the matters set forth herein.

2. Attached hereto as Exhibit "A" are true and correct copies of the discovery responses served by defendants Safer Technologies, Inc. and Cerma Technology, Inc. in response to Plaintiff's First Request for Production of Documents issued to (1) Safer Technologies, Inc. and (2) Cerma Technology, Inc. Also attached as Exhibit "A" is a true and correct copy of defendant Cerma Technology, Inc.'s

1 responses to Plaintiff's Second Request for Production of Documents issued to
2 Cerma Technology, Inc.

3 3. Attached hereto as Exhibit "B" is a true and correct copy of the complete
4 correspondence in connection with the parties efforts to meet and confer on
5 discovery issues undertaken in January 2010, reflecting defendants failure to meet
6 and confer despite plaintiff's offer and request to do so.

7 4. Plaintiff's determinations in connection with the what discovery to issue and
8 to pursue over objection was based upon the limited scope of this case and the fact
9 that defendants did not assert any counterclaims herein and repeatedly represented
10 to the Court that they did not intend to do so.

11 5. In preparing this matter for trial, I have done so based on the limited scope
12 of claims being asserted herein by plaintiff and the lack of counterclaims asserted
13 by defendants. Plaintiff is prepared to proceed with trial against the currently
14 identified and served parties and on the claims currently asserted herein.

15 6. Delay of the trial herein will result in prejudice to the plaintiff from
16 continued alienation from the trademarks at issue by the defendants and
17 marketplace uncertainty. Plaintiff may also suffer significant prejudice and
18 increased costs and expenses in the event that plaintiff's counsel is unable to
19 continue representation past the dates currently scheduled for trial.

20 I declare the foregoing to be true and correct under penalty of perjury under the
21 laws of the United States of America. Executed this 16th day of February, 2010.

22
23 /s/

24 Robert C. Weems
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EXHIBIT “A”

James M. Hanavan, State Bar No. 66097
 Kristen E. Drake, State Bar No. 202827
 CRAIGIE, McCARTHY & CLOW
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Attorneys for Defendants
 SAFER TECHNOLOGIES, INC.,
 CERMA TECHNOLOGY, INC.,
 GEORGE ACKERSON, MARY STRANAHAN,
 NICHOLAS STREIT and EDWARD HALBACH

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

MOTOR WORKS LLC,

Plaintiff,

vs.

SAFER TECHNOLOGIES, INC., CERMA
 TECHNOLOGY, INC., GEORGE
 ACKERMAN, MARY STRANAHAN,
 NICHOLAS STREIT, TIM STREIT and
 EDWARD HALBACH,

Defendants.

Case No.: 08-CV-03608 RS

**DEFENDANT SAFER TECHNOLOGIES,
 INC.'S RESPONSES TO PLAINTIFF'S
 FIRST SET OF DOCUMENT
 PRODUCTION REQUESTS**

PROPOUNDING PARTY:

Plaintiff MOTOR WORKS LLC

RESPONDING PARTY:

Defendant SAFER TECHNOLOGIES, INC.

SET NO.:

ONE (1)

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Defendant Safer Technologies, Inc. (hereinafter "Safer", "defendant" or "responding party") by and through its attorneys of record, Craigie, McCarthy & Clow, hereby responds to plaintiff's First Set of Document Production Requests propounded to defendant by Plaintiff Motor Works LLC (hereinafter "Motor Works", "plaintiff," or "propounding party") as follows:

GENERAL OBJECTIONS

1. Responding party objects to this set of requests, the instructions thereto, the definitions, and to each request contained therein, to the extent they seek to impose obligations on defendant beyond those set forth in the appropriate statutes. Responding party's responses are governed by, and shall be provided pursuant to, the applicable statutory rules and court rules.

2. Responding party objects to these requests to the extent they seek information or documents protected under the attorney client and/or work product privileges. Such information or documents are beyond the scope of discovery and shall not be disclosed in response to any of these requests. Any inadvertent production of any privileged or protected document will not constitute a waiver of any privilege or protection.

3. Responding party objects to this set of requests, and to each request contained therein on the grounds they are overly broad, unduly burdensome and seek documents that are neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Discovery is ongoing in this matter. Responding party responds in light of information known to date or discoverable upon reasonable inquiry. Responding party reserves the right to amend and/or supplement these responses to reflect subsequently discovered facts or evidence, and/or to introduce such facts or evidence at trial or at any other appropriate time during this action.

4. Responding party objects to this set of requests, and to each request contained therein to the extent it contains repetitive or overlapping requests and to the extent it does not set forth and describe individual items with reasonable particularity or is otherwise vague, ambiguous, unclear or unintelligible.

5. Responding party objects to this set of requests, and to each request contained therein to the extent that it seeks information which consists of proprietary business information or other confidential information.

6. Responding party objects to this set of requests, and to each request contained therein to the extent that it seeks information not in the possession, custody or control of

1 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
2 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
3 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
4 and unduly burdensome. Responding party further objects to this request to the extent that it
5 seeks documents protected by the attorney-client and work product privileges. Responding party
6 additionally objects to this request to the extent it seeks proprietary business information or other
7 confidential information.

8 **REQUEST NO. 3:**

9 All documents that refer or relate to any license, or proposed license, by and between
10 Cerma Technology, Inc. and Motor Works LLC or any Motor Works LLC subsidiary.

11 **RESPONSE TO REQUEST NO. 3:**

12 The request is objected to on the basis of relevancy since the documents requested are
13 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
14 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
15 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
16 and unduly burdensome. Responding party further objects to this request to the extent that it
17 seeks documents protected by the attorney-client and work product privileges. Responding party
18 additionally objects to this request to the extent it seeks proprietary business information or other
19 confidential information.

20 **REQUEST NO. 4:**

21 All documents that refer or relate to the development of any Cerma Technology, Inc.
22 trademark.

23 **RESPONSE TO REQUEST NO. 4:**

24 The request is objected to on the basis of relevancy since the documents requested are
25 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
26 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
27 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
28 and unduly burdensome. Responding party further objects to this request to the extent that it

1 seeks documents protected by the attorney-client and work product privileges. Responding party
2 additionally objects to this request to the extent it seeks proprietary business information or other
3 confidential information.

4 **REQUEST NO. 5:**

5 All documents that refer or relate to or that constitute any policy of insurance under which
6 you believe you may have coverage or for which you have submitted a claim for coverage for any
7 cause of action asserted in this action.

8 **RESPONSE TO REQUEST NO. 5:**

9 The request is objected to on the basis of relevancy since the documents requested are
10 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
11 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
12 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
13 and unduly burdensome. Responding party further objects to this request to the extent that it
14 seeks documents protected by the attorney-client and work product privileges. Responding party
15 additionally objects to this request to the extent it seeks proprietary business information or other
16 confidential information.

17 **REQUEST NO. 6:**

18 All documents that refer or relate to or that evidence any testing done by Cerma
19 Technology, Inc. of any Cerma Technology, Inc. product.

20 **RESPONSE TO REQUEST NO. 6:**

21 The request is objected to on the basis of relevancy since the documents requested are
22 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
23 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
24 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
25 and unduly burdensome. Responding party further objects to this request to the extent that it
26 seeks documents protected by the attorney-client and work product privileges. Responding party
27 additionally objects to this request to the extent it seeks proprietary business information or other
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1 confidential information.

2 **REQUEST NO. 7:**

3 All documents that refer or relate to or that evidence the development of any narrative
4 describing in whole or in part any Cerma Technology, Inc. product.

5 **RESPONSE TO REQUEST NO. 7:**

6 The request is objected to on the basis of relevancy since the documents requested are
7 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
8 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
9 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
10 and unduly burdensome. Responding party further objects to this request to the extent that it
11 seeks documents protected by the attorney-client and work product privileges. Responding party
12 additionally objects to this request to the extent it seeks proprietary business information or other
13 confidential information.

14 **REQUEST NO. 8:**

15 All documents that what that evidence the development of any website used by Cerma
16 Technology, Inc. for the advertising, marketing or sale of Cerma Technology, Inc. products.

17 **RESPONSE TO REQUEST NO. 8:**

18 The request is objected to on the basis of relevancy since the documents requested are
19 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
20 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
21 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
22 and unduly burdensome. Responding party further objects to this request to the extent that it
23 seeks documents protected by the attorney-client and work product privileges. Responding party
24 additionally objects to this request to the extent it seeks proprietary business information or other
25 confidential information.

26 **REQUEST NO. 9:**

27 All documents that refer or relate to or that constitute any agreement between Cerma
28 Technology, Inc. and John Murray for the use of his name or likeness.

RESPONSE TO REQUEST NO. 9:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 10:

All documents that refer or relate to any authorization by John Murray to Cerma Technology, Inc. for the use of his name or likeness.

RESPONSE TO REQUEST NO. 10:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 11:

All documents that refer or relate to or that constitute any agreement between Cerma Technology, Inc. and Motor Works LLC for the use of test results paid for or obtained by Motor Works LLC in connection with any product that is currently sold or that has been previously sold by Cerma Technology, Inc.

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RESPONSE TO REQUEST NO. 11:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 12:

All documents that refer or relate to John Murray's relationship with the Cerma Technology, Inc.

RESPONSE TO REQUEST NO. 12:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 13:

All documents that refer or relate to or that constitute any agreement between Cerma Technology, Inc. and any person for the use of images displayed by Cerma Technology, Inc. in any advertising or marketing material whether such materials is in print or displayed on Cerma Technology, Inc.'s website or the website of any person distributing Cerma Technology, Inc. products.

1 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
2 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
3 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
4 and unduly burdensome. Responding party further objects to this request to the extent that it
5 seeks documents protected by the attorney-client and work product privileges. Responding party
6 additionally objects to this request to the extent it seeks proprietary business information or other
7 confidential information.

8 **REQUEST NO. 16:**

9 All correspondence by and between Cerma Technology, Inc. and Motor Works LLC
10 concerning the manufacture of any oil additive including but not limited to CERMAX.

11 **RESPONSE TO REQUEST NO. 16:**

12 The request is objected to on the basis of relevancy since the documents requested are
13 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
14 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
15 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
16 and unduly burdensome. Responding party further objects to this request to the extent that it
17 seeks documents protected by the attorney-client and work product privileges. Responding party
18 additionally objects to this request to the extent it seeks proprietary business information or other
19 confidential information.

20 **REQUEST NO. 17:**

21 All correspondence by and between Cerma Technology, Inc. and Motor Works LLC
22 concerning the sale of any oil additive including not limited to CERMAX.

23 **RESPONSE TO REQUEST NO. 17:**

24 The request is objected to on the basis of relevancy since the documents requested are
25 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
26 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
27 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
28

1 and unduly burdensome. Responding party further objects to this request to the extent that it
2 seeks documents protected by the attorney-client and work product privileges. Responding party
3 additionally objects to this request to the extent it seeks proprietary business information or other
4 confidential information.

5 **REQUEST NO. 18:**

6 All correspondence by and between Cerma Technology, Inc. and Motor Works LLC
7 concerning the marketing of any oil additive, including but not limited to CERMAX.

8 **RESPONSE TO REQUEST NO. 18:**

9 The request is objected to on the basis of relevancy since the documents requested are
10 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
11 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
12 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
13 and unduly burdensome. Responding party further objects to this request to the extent that it
14 seeks documents protected by the attorney-client and work product privileges. Responding party
15 additionally objects to this request to the extent it seeks proprietary business information or other
16 confidential information.

17 **REQUEST NO. 19:**

18 All documents that refer or relate to or that constitute evidence of payments from Cerma
19 Technology, Inc. to Motor Works LLC, including but not limited to sales reports.

20 **RESPONSE TO REQUEST NO. 19:**

21 The request is objected to on the basis of relevancy since the documents requested are
22 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
23 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
24 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
25 and unduly burdensome. Responding party further objects to this request to the extent that it
26 seeks documents protected by the attorney-client and work product privileges. Responding party
27 additionally objects to this request to the extent it seeks proprietary business information or other
28

1 confidential information.

2 **REQUEST NO. 20:**

3 All documents that refer or relate to the development and selection of the name
4 CERMAX.

5 **RESPONSE TO REQUEST NO. 20:**

6 The request is objected to on the basis of relevancy since the documents requested are
7 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
8 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
9 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
10 and unduly burdensome. Responding party further objects to this request to the extent that it
11 seeks documents protected by the attorney-client and work product privileges. Responding party
12 additionally objects to this request to the extent it seeks proprietary business information or other
13 confidential information.

14 **REQUEST NO. 21:**

15 All documents that refer or relate to Cerma Technology, Inc.'s source of supply for the
16 chemicals and components of any product sold under the name CERMAX.

17 **RESPONSE TO REQUEST NO. 21:**

18 The request is objected to on the basis of relevancy since the documents requested are
19 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
20 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
21 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
22 and unduly burdensome. Responding party further objects to this request to the extent that it
23 seeks documents protected by the attorney-client and work product privileges. Responding party
24 additionally objects to this request to the extent it seeks proprietary business information or other
25 confidential information.

26 **REQUEST NO. 22:**

27 Documents sufficient to identify Cerma Technology, Inc.'s recipe or formula for any
28 product sold using the name CERMAX, regardless of source of supply.

RESPONSE TO REQUEST NO. 22:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 23:

All documents that refer or relate to or that constitute minutes of the board of directors of Cerma Technology, Inc.

RESPONSE TO REQUEST NO. 23:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 24:

All documents that refer or relate to or that constitute minutes of the Board of Directors of Safer Technologies, Inc.

RESPONSE TO REQUEST NO. 24:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*

1 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
2 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
3 and unduly burdensome. Responding party further objects to this request to the extent that it
4 seeks documents protected by the attorney-client and work product privileges. Responding party
5 additionally objects to this request to the extent it seeks proprietary business information or other
6 confidential information.

7 **REQUEST NO. 25:**

8 All documents that constitute or evidence the corporate formation of Safer Technologies.
9 Inc., including but not limited to all documents filed with any governmental or semi-
10 governmental agency.

11 **RESPONSE TO REQUEST NO. 25:**

12 The request is objected to on the basis of relevancy since the documents requested are
13 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
14 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
15 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
16 and unduly burdensome. Responding party further objects to this request to the extent that it
17 seeks documents protected by the attorney-client and work product privileges. Responding party
18 additionally objects to this request to the extent it seeks proprietary business information or other
19 confidential information.

20 **REQUEST NO. 26:**

21 Documents sufficient to identify all past and present officers of Safer Technologies, Inc.,
22 including but not limited to all filings with any governmental or semi-governmental agency in
23 which such officers are identified.

24 **RESPONSE TO REQUEST NO. 26:**

25 The request is objected to on the basis of relevancy since the documents requested are
26 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
27 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
28

1 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
2 and unduly burdensome. Responding party further objects to this request to the extent that it
3 seeks documents protected by the attorney-client and work product privileges. Responding party
4 additionally objects to this request to the extent it seeks proprietary business information or other
5 confidential information.

6 **REQUEST NO. 27:**

7 Documents sufficient to identify all past and present officers of Cerma Technology, Inc..
8 including but not limited to all filings with any governmental or semi-governmental agency in
9 which such officers are identified.

10 **RESPONSE TO REQUEST NO. 27:**

11 The request is objected to on the basis of relevancy since the documents requested are
12 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
13 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
14 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
15 and unduly burdensome. Responding party further objects to this request to the extent that it
16 seeks documents protected by the attorney-client and work product privileges. Responding party
17 additionally objects to this request to the extent it seeks proprietary business information or other
18 confidential information.

19 **REQUEST NO. 28:**

20 All documents that refer or relate to Safer Technologies, Inc.'s acquisition of Cerma
21 Technologies, Inc.

22 **RESPONSE TO REQUEST NO. 28:**

23 The request is objected to on the basis of relevancy since the documents requested are
24 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
25 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
26 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
27 and unduly burdensome. Responding party further objects to this request to the extent that it
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1 seeks documents protected by the attorney-client and work product privileges. Responding party
2 additionally objects to this request to the extent it seeks proprietary business information or other
3 confidential information.

4 **REQUEST NO. 29:**

5 All documents that refer or relate to or that evidence Safer Technologies, Inc.'s claim to
6 ownership of, or a right to use, the CERMAX mark.

7 **RESPONSE TO REQUEST NO. 29:**

8 The request is objected to on the basis of relevancy since the documents requested are
9 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
10 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
11 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
12 and unduly burdensome. Responding party further objects to this request to the extent that it
13 seeks documents protected by the attorney-client and work product privileges. Responding party
14 additionally objects to this request to the extent it seeks proprietary business information or other
15 confidential information.

16 **REQUEST NO. 30:**

17 All documents that refer or relate to or that evidence Safer Technologies, Inc.'s claim to
18 ownership of, or a right to use, any trade name, service mark and/or trade mark, registered or
19 otherwise, that is subject to this action, including but not limited to CERMA, CERMA
20 LUBRICATION, CERMAX, CERMA ENGINE LUBE, CERMA LUBE, CERMA ADVANCED
21 LUBRICATION TECHNOLOGY, CERMA ORGANIC and/or any other such mark or name
22 used by Cerma Technology, Inc. in connection with any of its products or services.

23 **RESPONSE TO REQUEST NO. 30:**

24 The request is objected to on the basis of relevancy since the documents requested are
25 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
26 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
27 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
28 and unduly burdensome. Responding party further objects to this request to the extent that it

1 seeks documents protected by the attorney-client and work product privileges. Responding party
2 additionally objects to this request to the extent it seeks proprietary business information or other
3 confidential information.

4 **REQUEST NO. 31:**

5 Documents sufficient to identify all past and present officers of, all past and present
6 directors of, and all shareholders in Safer Technologies, Inc.

7 **RESPONSE TO REQUEST NO. 31:**

8 The request is objected to on the basis of relevancy since the documents requested are
9 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
10 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
11 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
12 and unduly burdensome. Responding party further objects to this request to the extent that it
13 seeks documents protected by the attorney-client and work product privileges. Responding party
14 additionally objects to this request to the extent it seeks proprietary business information or other
15 confidential information.

16 **REQUEST NO. 32:**

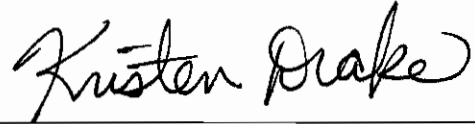
17 All documents relevant to any claim or defense in this action.

18 **RESPONSE TO REQUEST NO. 32:**

19 The request is objected to on the basis of relevancy since the documents requested are
20 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
21 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
22 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
23 and unduly burdensome. Responding party further objects to this request to the extent that it
24 seeks documents protected by the attorney-client and work product privileges. Responding party
25 additionally objects to this request to the extent it seeks proprietary business information or other
26 confidential information.

1 Dated: July 20, 2009

CRAIGIE, MCCARTHY & CLOW

2
3 

4 By: Kristen E. Drake
5 Attorneys for Defendants
6 SAFER TECHNOLOGIES, INC.,
7 CERMA TECHNOLOGY, INC.,
8 GEORGE ACKERSON,
9 MARY STRANAHAN,
10 NICHOLAS STREIT and
11 EDWARD HALBACH
12
13
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15
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CRAIGIE, MCCARTHY & CLOW
Telephone: 415/732-7788 · Facsimile: 415/732-7783

PROOF OF SERVICE

I, Kristen Drake, certify and declare as follows:

I am over the age of 18 years, and not a party to this action. My business address is Craigie, McCarthy & Clow, 540 Pacific Avenue, San Francisco, California 94133.

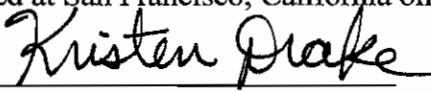
X **BY MAIL:** I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business. On July 20, 2009, at my place of business at Craigie, McCarthy & Clow, 540 Pacific Avenue, San Francisco, California 94133, I placed the document(s) described on the attached document list for deposit in the United States Postal Service in a sealed envelope, with postage fully prepaid, addressed to those persons listed in the attached service list.

 BY FAX: On July 20, 2009, I transmitted from a facsimile transmission machine, whose telephone number (415) 732-7783, the following document(s) described on the attached document list and a copy of this declaration to the recipient and their fax number as indicated on the attached service list. The transmission was reported as complete without error by a transmission report issued by the facsimile transmission machine immediately following the transmission. A true and correct copy of the transmission report may be requested from the undersigned by calling (415) 732-7788.

 BY FEDERAL EXPRESS: On July 20, 2009, I deposited in a box or other facility regularly maintained by Federal Express, an express service carrier, or delivered to a courier or driver authorized by this express service carrier to receive documents, a copy of the document(s) described on the attached document list, together with a copy of this declaration, in an envelope designated by the this express service carrier, with delivery fees paid or provided for, addressed to those persons listed on the attached service list.

 BY HAND DELIVERY: On July 20, 2009, I caused a copy of the document(s) described on the attached document list, together with a copy of this declaration, to be hand delivered, with delivery fees paid or provided for, to those persons listed on the attached service list.

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California on July 20, 2009.


Kristen Drake

Document and Service Lists Attached

DOCUMENT LIST

DEFENDANT SAFER TECHNOLOGIES, INC.'S RESPONSES TO PLAINTIFF'S FIRST SET
OF DOCUMENT PRODUCTION REQUESTS

SERVICE LIST

Robert C. Weems
WEEMS LAW OFFICES
Fair-Anselm Plaza, 2d Fl. W
751 Center Blvd.
Fairfax, CA 94930
Facsimile: (415-259-0108)
Attorneys for Plaintiff
MOTOR WORKS LLC

James M. Hanavan, State Bar No. 66097
 Kristen E. Drake, State Bar No. 202827
 CRAIGIE, McCARTHY & CLOW
 540 Pacific Avenue
 San Francisco, CA 94133
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 Facsimile: (415) 732-7783

Attorneys for Defendants
 SAFER TECHNOLOGIES, INC.,
 CERMA TECHNOLOGY, INC.,
 GEORGE ACKERSON, MARY STRANAHAN,
 NICHOLAS STREIT and EDWARD HALBACH

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

MOTOR WORKS LLC,

Plaintiff,

vs.

SAFER TECHNOLOGIES, INC., CERMA
 TECHNOLOGY, INC., GEORGE
 ACKERMAN, MARY STRANAHAN,
 NICHOLAS STREIT, TIM STREIT and
 EDWARD HALBACH,

Defendants.

Case No.: 08-CV-03608 RS

**DEFENDANT CERMA TECHNOLOGY,
 INC.'S RESPONSES TO PLAINTIFF'S
 FIRST SET OF DOCUMENT
 PRODUCTION REQUESTS**

PROPOUNDING PARTY: Plaintiff MOTOR WORKS LLC

RESPONDING PARTY: Defendant CERMA TECHNOLOGY, INC.

SET NO.: ONE (1)

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Defendant Cerma Technology, Inc. (hereinafter "Cerma", "defendant" or "responding party") by and through its attorneys of record, Craigie, McCarthy & Clow, hereby responds to plaintiff's First Set of Document Production Requests propounded to defendant by Plaintiff Motor Works LLC (hereinafter "Motor Works", "plaintiff," or "propounding party") as follows:

GENERAL OBJECTIONS

1
2 1. Responding party is not a proper party defendant as responding party was acquired
3 by SAFER TECHNOLOGIES, INC. and has no separate corporate existence apart from SAFER
4 TECHNOLOGIES, INC. Responding party objects to this set of requests, the instructions
5 thereto, the definitions, and to each request contained therein, to the extent they seek to impose
6 obligations on defendant beyond those set forth in the appropriate statutes. Responding party's
7 responses are governed by, and shall be provided pursuant to, the applicable statutory rules and
8 court rules.

9 2. Responding party objects to these requests to the extent they seek information or
10 documents protected under the attorney client and/or work product privileges. Such information
11 or documents are beyond the scope of discovery and shall not be disclosed in response to any of
12 these requests. Any inadvertent production of any privileged or protected document will not
13 constitute a waiver of any privilege or protection.

14 3. Responding party objects to this set of requests, and to each request contained
15 therein on the grounds they are overly broad, unduly burdensome and seek documents that are
16 neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the
17 discovery of admissible evidence. Discovery is ongoing in this matter. Responding party
18 responds in light of information known to date or discoverable upon reasonable inquiry.
19 Responding party reserves the right to amend and/or supplement these responses to reflect
20 subsequently discovered facts or evidence, and/or to introduce such facts or evidence at trial or at
21 any other appropriate time during this action.

22 4. Responding party objects to this set of requests, and to each request contained
23 therein to the extent it contains repetitive or overlapping requests and to the extent it does not set
24 forth and describe individual items with reasonable particularity or is otherwise vague,
25 ambiguous, unclear or unintelligible.

26 5. Responding party objects to this set of requests, and to each request contained
27 therein to the extent that it seeks information which consists of proprietary business information
28

1 or other confidential information.

2 6. Responding party objects to this set of requests, and to each request contained
3 therein to the extent that it seeks information not in the possession, custody or control of
4 responding party. Responding party further objects to each request to the extent it seeks
5 information obtainable from some other source that is more convenient, less burdensome, or less
6 expensive.

7 7. Responding party objects to the time and place set forth in the requests for
8 production of documents as vague and unduly burdensome. Responsive documents shall be
9 produced at a mutually convenient time and place to be determined following meet and confer by
10 and between counsel for the respective parties.

11 8. In the interest of brevity, these general objections are set forth one time only at this
12 point, and are incorporated by reference into each and every one of the following responses.

13 **RESPONSES TO DOCUMENT PRODUCTION REQUESTS**

14 **REQUEST NO. 1:**

15 All correspondence from, to or with John Murray through any Cerma Technology, Inc. e-
16 mail account.

17 **RESPONSE TO REQUEST NO. 1:**

18 The request is objected to on the basis of relevancy since the documents requested are
19 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
20 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
21 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
22 and unduly burdensome. Responding party further objects to this request to the extent that it
23 seeks documents protected by the attorney-client and work product privileges. Responding party
24 additionally objects to this request to the extent it seeks proprietary business information or other
25 confidential information.

26 **REQUEST NO. 2:**

27 All documents that refer or relate to the chemical composition of Cerma Technology, Inc.
28

1 products.

2 **RESPONSE TO REQUEST NO. 2:**

3 The request is objected to on the basis of relevancy since the documents requested are
4 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
5 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
6 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
7 and unduly burdensome. Responding party further objects to this request to the extent that it
8 seeks documents protected by the attorney-client and work product privileges. Responding party
9 additionally objects to this request to the extent it seeks proprietary business information or other
10 confidential information.

11 **REQUEST NO. 3:**

12 All documents that refer or relate to any license, or proposed license, by and between
13 Cerma Technology, Inc. and Motor Works LLC or any Motor Works LLC subsidiary.

14 **RESPONSE TO REQUEST NO. 3:**

15 The request is objected to on the basis of relevancy since the documents requested are
16 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
17 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
18 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
19 and unduly burdensome. Responding party further objects to this request to the extent that it
20 seeks documents protected by the attorney-client and work product privileges. Responding party
21 additionally objects to this request to the extent it seeks proprietary business information or other
22 confidential information.

23 **REQUEST NO. 4:**

24 All documents that refer or relate to the development of any Cerma Technology, Inc.
25 trademark.

26 **RESPONSE TO REQUEST NO. 4:**

27 The request is objected to on the basis of relevancy since the documents requested are
28 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*

1 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
2 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
3 and unduly burdensome. Responding party further objects to this request to the extent that it
4 seeks documents protected by the attorney-client and work product privileges. Responding party
5 additionally objects to this request to the extent it seeks proprietary business information or other
6 confidential information.

7 **REQUEST NO. 5:**

8 All documents that refer or relate to or that constitute any policy of insurance under which
9 you believe you may have coverage or for which you have submitted a claim for coverage for any
10 cause of action asserted in this action.

11 **RESPONSE TO REQUEST NO. 5:**

12 The request is objected to on the basis of relevancy since the documents requested are
13 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
14 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
15 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
16 and unduly burdensome. Responding party further objects to this request to the extent that it
17 seeks documents protected by the attorney-client and work product privileges. Responding party
18 additionally objects to this request to the extent it seeks proprietary business information or other
19 confidential information.

20 **REQUEST NO. 6:**

21 All documents that refer or relate to or that evidence any testing done by Cerma
22 Technology, Inc. of any Cerma Technology, Inc. product.

23 **RESPONSE TO REQUEST NO. 6:**

24 The request is objected to on the basis of relevancy since the documents requested are
25 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
26 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
27 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
28

1 and unduly burdensome. Responding party further objects to this request to the extent that it
2 seeks documents protected by the attorney-client and work product privileges. Responding party
3 additionally objects to this request to the extent it seeks proprietary business information or other
4 confidential information.

5 **REQUEST NO. 7:**

6 All documents that refer or relate to or that evidence the development of any narrative
7 describing in whole or in part any Cerma Technology, Inc. product.

8 **RESPONSE TO REQUEST NO. 7:**

9 The request is objected to on the basis of relevancy since the documents requested are
10 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
11 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
12 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
13 and unduly burdensome. Responding party further objects to this request to the extent that it
14 seeks documents protected by the attorney-client and work product privileges. Responding party
15 additionally objects to this request to the extent it seeks proprietary business information or other
16 confidential information.

17 **REQUEST NO. 8:**

18 All documents that what that evidence the development of any website used by Cerma
19 Technology, Inc. for the advertising, marketing or sale of Cerma Technology, Inc. products.

20 **RESPONSE TO REQUEST NO. 8:**

21 The request is objected to on the basis of relevancy since the documents requested are
22 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
23 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
24 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
25 and unduly burdensome. Responding party further objects to this request to the extent that it
26 seeks documents protected by the attorney-client and work product privileges. Responding party
27 additionally objects to this request to the extent it seeks proprietary business information or other
28 confidential information.

REQUEST NO. 9:

All documents that refer or relate to or that constitute any agreement between Cerma Technology, Inc. and John Murray for the use of his name or likeness.

RESPONSE TO REQUEST NO. 9:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 10:

All documents that refer or relate to any authorization by John Murray to Cerma Technology, Inc. for the use of his name or likeness.

RESPONSE TO REQUEST NO. 10:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 11:

All documents that refer or relate to or that constitute any agreement between Cerma Technology, Inc. and Motor Works LLC for the use of test results paid for or obtained by Motor

1 Works LLC in connection with any product that is currently sold or that has been previously sold
2 by Cerma Technology, Inc.

3 **RESPONSE TO REQUEST NO. 11:**

4 The request is objected to on the basis of relevancy since the documents requested are
5 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
6 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
7 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
8 and unduly burdensome. Responding party further objects to this request to the extent that it
9 seeks documents protected by the attorney-client and work product privileges. Responding party
10 additionally objects to this request to the extent it seeks proprietary business information or other
11 confidential information.

12 **REQUEST NO. 12:**

13 All documents that refer or relate to John Murray's relationship with the Cerma
14 Technology, Inc.

15 **RESPONSE TO REQUEST NO. 12:**

16 The request is objected to on the basis of relevancy since the documents requested are
17 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
18 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
19 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
20 and unduly burdensome. Responding party further objects to this request to the extent that it
21 seeks documents protected by the attorney-client and work product privileges. Responding party
22 additionally objects to this request to the extent it seeks proprietary business information or other
23 confidential information.

24 **REQUEST NO. 13:**

25 All documents that refer or relate to or that constitute any agreement between Cerma
26 Technology, Inc. and any person for the use of images displayed by Cerma Technology, Inc. in
27 any advertising or marketing material whether such materials is in print or displayed on Cerma
28

Technology, Inc.'s website or the website of any person distributing Cerma Technology, Inc. products.

RESPONSE TO REQUEST NO. 13:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 14:

All documents that refer or relate to or that evidence the development by Cerma Technology, Inc. of any product sold using the name CERMAIX.

RESPONSE TO REQUEST NO. 14:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 15:

All documents that refer or relate to or that constitute any agreement by and between Cerma Technology, Inc. and any third party for the distribution of any oil additive, or like product.

RESPONSE TO REQUEST NO. 15:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 16:

All correspondence by and between Cerma Technology, Inc. and Motor Works LLC concerning the manufacture of any oil additive including but not limited to CERMAX.

RESPONSE TO REQUEST NO. 16:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 17:

All correspondence by and between Cerma Technology, Inc. and Motor Works LLC concerning the sale of any oil additive including not limited to CERMAX.

RESPONSE TO REQUEST NO. 17:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*

1 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
2 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
3 and unduly burdensome. Responding party further objects to this request to the extent that it
4 seeks documents protected by the attorney-client and work product privileges. Responding party
5 additionally objects to this request to the extent it seeks proprietary business information or other
6 confidential information.

7 **REQUEST NO. 18:**

8 All correspondence by and between Cerma Technology, Inc. and Motor Works LLC
9 concerning the marketing of any oil additive, including but not limited to CERMAX.

10 **RESPONSE TO REQUEST NO. 18:**

11 The request is objected to on the basis of relevancy since the documents requested are
12 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
13 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
14 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
15 and unduly burdensome. Responding party further objects to this request to the extent that it
16 seeks documents protected by the attorney-client and work product privileges. Responding party
17 additionally objects to this request to the extent it seeks proprietary business information or other
18 confidential information.

19 **REQUEST NO. 19:**

20 All documents that refer or relate to or that constitute evidence of payments from Cerma
21 Technology, Inc. to Motor Works LLC, including but not limited to sales reports.

22 **RESPONSE TO REQUEST NO. 19:**

23 The request is objected to on the basis of relevancy since the documents requested are
24 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
25 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
26 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
27 and unduly burdensome. Responding party further objects to this request to the extent that it
28

1 seeks documents protected by the attorney-client and work product privileges. Responding party
2 additionally objects to this request to the extent it seeks proprietary business information or other
3 confidential information.

4 **REQUEST NO. 20:**

5 All documents that refer or relate to the development and selection of the name
6 CERMAX.

7 **RESPONSE TO REQUEST NO. 20:**

8 The request is objected to on the basis of relevancy since the documents requested are
9 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
10 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
11 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
12 and unduly burdensome. Responding party further objects to this request to the extent that it
13 seeks documents protected by the attorney-client and work product privileges. Responding party
14 additionally objects to this request to the extent it seeks proprietary business information or other
15 confidential information.

16 **REQUEST NO. 21:**

17 All documents that refer or relate to Cerma Technology, Inc.'s source of supply for the
18 chemicals and components of any product sold under the name CERMAX.

19 **RESPONSE TO REQUEST NO. 21:**

20 The request is objected to on the basis of relevancy since the documents requested are
21 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
22 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
23 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
24 and unduly burdensome. Responding party further objects to this request to the extent that it
25 seeks documents protected by the attorney-client and work product privileges. Responding party
26 additionally objects to this request to the extent it seeks proprietary business information or other
27 confidential information.

28 ///

REQUEST NO. 22:

Documents sufficient to identify Cerma Technology, Inc.'s recipe or formula for any product sold using the name CERMAX, regardless of source of supply.

RESPONSE TO REQUEST NO. 22:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 23:

All documents that refer or relate to or that constitute minutes of the board of directors of Cerma Technology, Inc.

RESPONSE TO REQUEST NO. 23:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 24:

All documents that refer or relate to or that constitute minutes of the Board of Directors of Safer Technologies, Inc.

RESPONSE TO REQUEST NO. 24:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 25:

All documents that constitute or evidence the corporate formation of Safer Technologies, Inc., including but not limited to all documents filed with any governmental or semi-governmental agency.

RESPONSE TO REQUEST NO. 25:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 26:

Documents sufficient to identify all past and present officers of Safer Technologies, Inc., including but not limited to all filings with any governmental or semi-governmental agency in which such officers are identified.

///

RESPONSE TO REQUEST NO. 26:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 27:

Documents sufficient to identify all past and present officers of Cerma Technology. Inc.. including but not limited to all filings with any governmental or semi-governmental agency in which such officers are identified.

RESPONSE TO REQUEST NO. 27:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

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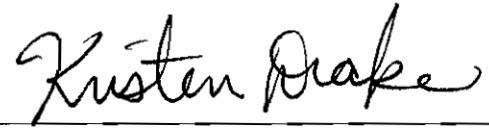
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Dated: July 20, 2009

CRAIGIE, McCARTHY & CLOW



By: Kristen E. Drake
Attorneys for Defendants
SAFER TECHNOLOGIES, INC.,
CERMA TECHNOLOGY, INC.,
GEORGE ACKERSON,
MARY STRANAHAN,
NICHOLAS STREIT and
EDWARD HALBACH

CRAIGIE, McCARTHY & CLOW
Telephone: 415/732-7788 · Facsimile: 415/732-7783

PROOF OF SERVICE

I, Kristen Drake, certify and declare as follows:

I am over the age of 18 years, and not a party to this action. My business address is Craigie, McCarthy & Clow, 540 Pacific Avenue, San Francisco, California 94133.

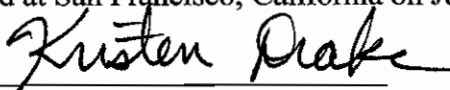
X **BY MAIL:** I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business. On July 20, 2009, at my place of business at Craigie, McCarthy & Clow, 540 Pacific Avenue, San Francisco, California 94133, I placed the document(s) described on the attached document list for deposit in the United States Postal Service in a sealed envelope, with postage fully prepaid, addressed to those persons listed in the attached service list.

 BY FAX: On July 20, 2009, I transmitted from a facsimile transmission machine, whose telephone number (415) 732-7783, the following document(s) described on the attached document list and a copy of this declaration to the recipient and their fax number as indicated on the attached service list. The transmission was reported as complete without error by a transmission report issued by the facsimile transmission machine immediately following the transmission. A true and correct copy of the transmission report may be requested from the undersigned by calling (415) 732-7788.

 BY FEDERAL EXRPESS: On July 20, 2009, I deposited in a box or other facility regularly maintained by Federal Express, an express service carrier, or delivered to a courier or driver authorized by this express service carrier to receive documents, a copy of the document(s) described on the attached document list, together with a copy of this declaration, in an envelope designated by the this express service carrier, with delivery fees paid or provided for, addressed to those persons listed on the attached service list.

 BY HAND DELIVERY: On July 20, 2009, I caused a copy of the document(s) described on the attached document list, together with a copy of this declaration, to be hand delivered, with delivery fees paid or provided for, to those persons listed on the attached service list.

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California on July 20, 2009.


Kristen Drake

Document and Service Lists Attached

PROOF OF SERVICE

DOCUMENT LIST

DEFENDANT CERMA TECHNOLOGY, INC.'S RESPONSES TO PLAINTIFF'S FIRST SET
OF DOCUMENT PRODUCTION REQUESTS

SERVICE LIST

Robert C. Weems
WEEMS LAW OFFICES
Fair-Anselm Plaza, 2d Fl. W
751 Center Blvd.
Fairfax, CA 94930
Facsimile: (415-259-0108)
Attorneys for Plaintiff
MOTOR WORKS LLC

James M. Hanavan, State Bar No. 66097
 Kristen E. Drake, State Bar No. 202827
 CRAIGIE, McCARTHY & CLOW
 540 Pacific Avenue
 San Francisco, CA 94133
 Telephone: (415) 732-7788
 Facsimile: (415) 732-7783

Attorneys for Defendants
 SAFER TECHNOLOGIES, INC.,
 CERMA TECHNOLOGY, INC.,
 GEORGE ACKERSON, MARY STRANAHAN,
 NICHOLAS STREIT and EDWARD HALBACH

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

MOTOR WORKS LLC,

Plaintiff,

vs.

SAFER TECHNOLOGIES, INC., CERMA
 TECHNOLOGY, INC., GEORGE
 ACKERMAN, MARY STRANAHAN,
 NICHOLAS STREIT, TIM STREIT and
 EDWARD HALBACH,

Defendants.

Case No.: 08-CV-03608 RS

**DEFENDANT CERMA TECHNOLOGY,
 INC.'S RESPONSES TO PLAINTIFF'S
 SECOND SET OF DOCUMENT
 PRODUCTION REQUESTS**

PROPOUNDING PARTY:

Plaintiff MOTOR WORKS LLC

RESPONDING PARTY:

Defendant CERMA TECHNOLOGY, INC.

SET NO.:

TWO (2)

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Defendant Cerma Technology, Inc. (hereinafter "Cerma", "defendant" or "responding party") by and through its attorneys of record, Craigie, McCarthy & Clow, hereby responds to plaintiff's Second Set of Document Production Requests propounded to defendant by Plaintiff Motor Works LLC (hereinafter "Motor Works", "plaintiff," or "propounding party") as follows:

GENERAL OBJECTIONS

1
2 1. Responding party is not a proper party defendant as responding party was acquired
3 by SAFER TECHNOLOGIES, INC. and has no separate corporate existence apart from SAFER
4 TECHNOLOGIES, INC. Responding party objects to this set of requests, the instructions
5 thereto, the definitions, and to each request contained therein, to the extent they seek to impose
6 obligations on defendant beyond those set forth in the appropriate statutes. Responding party's
7 responses are governed by, and shall be provided pursuant to, the applicable statutory rules and
8 court rules.

9 2. Responding party objects to these requests to the extent they seek information or
10 documents protected under the attorney client and/or work product privileges. Such information
11 or documents are beyond the scope of discovery and shall not be disclosed in response to any of
12 these requests. Any inadvertent production of any privileged or protected document will not
13 constitute a waiver of any privilege or protection.

14 3. Responding party objects to this set of requests, and to each request contained
15 therein on the grounds they are overly broad, unduly burdensome and seek documents that are
16 neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the
17 discovery of admissible evidence. Discovery is ongoing in this matter. Responding party
18 responds in light of information known to date or discoverable upon reasonable inquiry.
19 Responding party reserves the right to amend and/or supplement these responses to reflect
20 subsequently discovered facts or evidence, and/or to introduce such facts or evidence at trial or at
21 any other appropriate time during this action.

22 4. Responding party objects to this set of requests, and to each request contained
23 therein to the extent it contains repetitive or overlapping requests and to the extent it does not set
24 forth and describe individual items with reasonable particularity or is otherwise vague,
25 ambiguous, unclear or unintelligible.

26 5. Responding party objects to this set of requests, and to each request contained
27 therein to the extent that it seeks information which consists of proprietary business information
28

1 or other confidential information.

2 6. Responding party objects to this set of requests, and to each request contained
3 therein to the extent that it seeks information not in the possession, custody or control of
4 responding party. Responding party further objects to each request to the extent it seeks
5 information obtainable from some other source that is more convenient, less burdensome, or less
6 expensive.

7 7. Responding party objects to the time and place set forth in the requests for
8 production of documents as vague and unduly burdensome. Responsive documents shall be
9 produced at a mutually convenient time and place to be determined following meet and confer by
10 and between counsel for the respective parties.

11 8. In the interest of brevity, these general objections are set forth one time only at this
12 point, and are incorporated by reference into each and every one of the following responses.

13 **RESPONSES TO DOCUMENT PRODUCTION REQUESTS**

14 **REQUEST NO. 28:**

15 All documents that refer or relate to Safer Technologies, Inc.'s acquisition of Cerma
16 Technologies. Inc.

17 **RESPONSE TO REQUEST NO. 28:**

18 The request is objected to on the basis of relevancy since the documents requested are
19 neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See,*
20 *e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding
21 party objects to this request to the extent that it is compound, vague and ambiguous, overly broad
22 and unduly burdensome. Responding party further objects to this request to the extent that it
23 seeks documents protected by the attorney-client and work product privileges. Responding party
24 additionally objects to this request to the extent it seeks proprietary business information or other
25 confidential information.

26 **REQUEST NO. 29:**

27 All documents that refer or relate to or that evidence Cerma Technology, Inc.'s claim to
28

ownership of, or a right to use, the CERMAX mark.

RESPONSE TO REQUEST NO. 29:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 30:

All documents that refer or relate to or that evidence the basis of Cerma Technology, Inc.'s claim to ownership of, or a right to use, any trade name, service mark and/or trade mark, registered or otherwise, that is subject to this action, including but not limited to CERMA, CERMA LUBRICATION, CERMAX, CERMA ENGINE LUBE, CERMA LUBE, CERMA ADVANCED LUBRICATION TECHNOLOGY, CERMA ORGANIC and/or any other such mark or name used by Cerma Technology, Inc. in connection with any of its products or services.

RESPONSE TO REQUEST NO. 30:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 31:

All documents that refer or relate to or that constitute any label used for any Cerma

Technology, Inc. product, including but not limited to products bearing or that have born any of the following marks: CERMA, CERMA LUBRICATION, CERMAX, CERMA ENGINE LUBE, CERMA LUBE, CERMA ADVANCED LUBRICATION TECHNOLOGY, CERMA ORGANIC.

RESPONSE TO REQUEST NO. 31:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 32:

All documents that refer or relate to or that constitute any label used for any Cerma Technology, Inc. product, including but not limited to any label referencing Motor Works LLC.

RESPONSE TO REQUEST NO. 32:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 33:

All documents reflecting, referring to or relating to any statement made by any defendant

herein concerning Motor Works LLC, and/or any its officers, directors or employees :o any actual or potential Cerma Technology, Inc. customer or supplier.

RESPONSE TO REQUEST NO. 33:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

REQUEST NO. 34:

All documents that refer or relate to or that reflect any comparison of any Cerma Technology, Inc. product or service with any third party product or service.

RESPONSE TO REQUEST NO. 34:

The request is objected to on the basis of relevancy since the documents requested are neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. *See, e.g., Microsoft Corp. v. EEE Business Inc.*, 555 F.Supp2d 1051 (N.D. Cal. 2008). Responding party objects to this request to the extent that it is compound, vague and ambiguous, overly broad and unduly burdensome. Responding party further objects to this request to the extent that it seeks documents protected by the attorney-client and work product privileges. Responding party additionally objects to this request to the extent it seeks proprietary business information or other confidential information.

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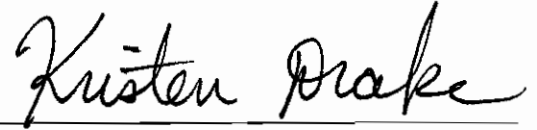
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2 Dated: July 20, 2009

CRAIGIE, McCARTHY & CLOW

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5 By: Kristen E. Drake
6 Attorneys for Defendants
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CRAIGIE, McCARTHY & CLOW
Telephone: 415/732-7788 · Facsimile: 415/732-7783

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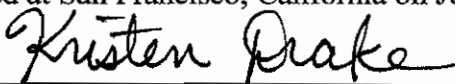
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Kristen Drake

Document and Service Lists Attached

PROOF OF SERVICE

DOCUMENT LIST

DEFENDANT CERMA TECHNOLOGY, INC.'S RESPONSES TO PLAINTIFF'S SECOND
SET OF DOCUMENT PRODUCTION REQUESTS

SERVICE LIST

Robert C. Weems
WEEMS LAW OFFICES
Fair-Anselm Plaza, 2d Fl. W
751 Center Blvd.
Fairfax, CA 94930
Facsimile: (415-259-0108)
Attorneys for Plaintiff
MOTOR WORKS LLC

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EXHIBIT “B”



Rob Weems <rcweems@gmail.com>

Motor Works v. Safer

3 messages

craigiellaw@aol.com <craigiellaw@aol.com>**Mon, Jan 4, 2010 at 4:56 PM**

To: rcweems@weemslawoffices.com

Cc: JimHanavan@aol.com

Dear Mr. Weems,

Pursuant to Federal Rules of Civil Procedure, Rule 37 and Local Rule 37, we request a conference with you to meet and confer on discovery issues. We are available anytime this week for such a conference, but request that the parties move quickly as the trial date is approaching. **Please respond to this e-mail by 5:00 p.m. on Tuesday to indicate your availability for a conference ASAP.**

We need to discuss Safer's failure to respond to the outstanding discovery and to produce Mr. Murray for deposition. As you are aware, on June 1, 2009, Safer served Motor Works with special interrogatories, requests for admission and a request to produce documents. Motor Works' responses were due on July 1, 2009. On July 6, 2009, you e-mailed responses to the requests for admission portion of the outstanding discovery, without any of the requested explanation for the denials. You represented that you "hop[ed] to have the balance of Motor Works' responses to [Safer's outstanding discovery] by Friday [July 10th]."

You have never served the responses. As indicated above, please get back to us by Tuesday at 5:00 p.m. with a time for us to conduct the required meet and confer conference.

Thank you,

Kristen Drake

Rob Weems <rcweems@weemslawoffices.com>**Tue, Jan 5, 2010 at 4:35 PM**

To: craigiellaw@aol.com

Cc: JimHanavan@aol.com

I should be available to discuss both the defendants' and the plaintiff's discovery responses after 1:45 on Friday through at least 3:30/4:00. As you are aware, your client's failed and refused to produce any documents in response to plaintiff's requests. To that end, please review your clients' responses to determine if they are prepared at this time to produce any responsive documents.

I would, however, also encourage you to discuss settlement prospects with your clients before we all hunker down into full on trial preparation mode. As indicated at the tiem of our unsuccessful mediation, my client is willing to look at alternatives that will permit yours to continue use of the CERMAX mark.

Truly,

Robert Weems

WEEMS LAW OFFICES
751 Center Blvd. Fairfax, CA 94930
P: 415.259.0293 F: 415.259.0108

On Mon, Jan 4, 2010 at 4:56 PM, <craigielaw@aol.com> wrote:

> Dear Mr. Weems,

>

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> request a conference with you to meet and confer on discovery issues. We
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> Thank you,

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> Kristen Drake

>

Rob Weems <rcweems@weemslawoffices.com>

Thu, Jan 7, 2010 at 11:52 PM

To: craigielaw@aol.com

Cc: JimHanavan@aol.com

Counsel:

Having no confirmation back from you on meeting and conferring on
discovery issues tomorrow afternoon, I have scheduled other meetings.
I have relatively open days Monday-Wednesday of next week if you would
like to reschedule for one of those days.

Robert
WEEMS LAW OFFICES
751 Center Blvd. Fairfax, CA 94930
P: 415.259.0293 F: 415.259.0108

On Tue, Jan 5, 2010 at 4:35 PM, Rob Weems <rcweems@weemslawoffices.com> wrote:

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